

Translation

PATENT COOPERATION TREATY

PCT/EP2003/008434

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference K 59 745/7ch	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/008434	International filing date (<i>day/month/year</i>) 30 July 2003 (30.07.2003)	Priority date (<i>day/month/year</i>) 31 July 2002 (31.07.2002)
International Patent Classification (IPC) or national classification and IPC B65H 29/40		
Applicant GIESECKE & DEVRIENT GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 02 February 2004 (02.02.2004)	Date of completion of this report 12 November 2004 (12.11.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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I. Basis of the report**1. With regard to the elements of the international application:***

- ☐ the international application as originally filed
- ☒ the description:
pages _____ 1-12 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ 1-8 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the drawings:
pages _____ 1/2, 2/2 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-8	YES
	Claims		NO
Inventive step (IS)	Claims	1-8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO

2. Citations and explanations

Documents:

Reference is made to the following documents:

D1: DE 44 37 722 A (GIESECKE & DEVRIENT GMBH) 25 April 1996 (1996-04-25)

D2: PATENT ABSTRACTS OF JAPAN Vol. 007, No. 221 (M-246), 30 September 1983 (1983-09-30) & JP 58 113067 A (TOKYO SHIBAURA DENKI KK), 5 July 1983 (1983-07-05)

It is assumed that claims 1-8 fulfill the criteria set out in PCT Article 33(1).

Closest prior art: Document D1 describes (see figures 2A-2D), in the wording of claim 1 (the references in parentheses are to D1), a spiral compartment stacker for stacking sheet material, comprising a stacking wheel (51) with compartments for receiving the sheet material, said compartments being arranged successively in a spiral pattern about an axis of rotation, and comprising a distributor (52) that distributes the sheet material from the compartments of the stacking wheel when in a distribution position and a stacking delivery tray (53) on which the sheet material distributed from the compartments is deposited, a first moveable part of the distributor (52) being moveable from the distribution position while

the stacking wheel (51) is rotating such that the sheet material is distributed from one of the compartments in the stacking wheel and the sheet material in a following compartment remains in the stacking wheel (cf. claim 1, in part).

Problem: The invention relates to the problem of preventing the distributor in a spiral compartment stacker according to D1 from colliding with the bank notes located in the stacking wheel or that of avoiding such a collision without needing to stop the stacking wheel.

Solution: In the spiral compartment stacker according to the invention, the characterizing part of claim 1 defines as special features the fact that a second moveable part of the distributor can be stopped in the distributing position and moved with the rotating stacking wheel in the non-arrested state.

Claim 6 defines a method having features that define the operation of a corresponding spiral compartment stacker with a two-part distributor.

Inventive Step: An arrangement such as this is neither known from nor suggested by the available prior art. Document D2 discloses a spiral compartment stacker in which the distributor has at least two different components, one of which can be moved out of the distributing position. There is thus no risk that this moveable part of the distributor will collide with the bank notes located in the stacking wheel and no problem of a necessity to stop the stacking wheel. In this context, even if the subject matter of claims 1 and 6 can theoretically be achieved by combining features from D1 with features from D2, said combination still involves an inventive step, since a person skilled in the art must

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make specific choices (i.e. he must decide which features of each document to retain, modify or omit).

Claims 2-5 and 7 and 8 are dependent upon claims 1 and 6, respectively, and thus fulfill the criteria set out in PCT Article 33(1).